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**SENATE BILL 5393**

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**State of Washington**

**64th Legislature**

**2015 Regular Session**

**By** Senators Litzow, Fain, Dammeier, Hill, Rivers, and Angel

Read first time 01/21/15. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to providing flexibility for schools recognized  
2 for exemplary performance under the Washington achievement index;  
3 adding a new section to chapter 28A.657 RCW; adding a new section to  
4 chapter 28A.150 RCW; adding a new section to chapter 28A.160 RCW;  
5 adding a new section to chapter 28A.165 RCW; adding a new section to  
6 chapter 28A.170 RCW; adding a new section to chapter 28A.175 RCW;  
7 adding a new section to chapter 28A.180 RCW; adding a new section to  
8 chapter 28A.185 RCW; adding a new section to chapter 28A.190 RCW;  
9 adding a new section to chapter 28A.193 RCW; adding a new section to  
10 chapter 28A.194 RCW; adding a new section to chapter 28A.215 RCW;  
11 adding a new section to chapter 28A.220 RCW; adding a new section to  
12 chapter 28A.225 RCW; adding a new section to chapter 28A.230 RCW;  
13 adding a new section to chapter 28A.235 RCW; adding a new section to  
14 chapter 28A.245 RCW; adding a new section to chapter 28A.250 RCW;  
15 adding a new section to chapter 28A.300 RCW; adding a new section to  
16 chapter 28A.305 RCW; adding a new section to chapter 28A.320 RCW;  
17 adding a new section to chapter 28A.325 RCW; adding a new section to  
18 chapter 28A.335 RCW; adding a new section to chapter 28A.340 RCW;  
19 adding a new section to chapter 28A.345 RCW; adding a new section to  
20 chapter 28A.400 RCW; adding a new section to chapter 28A.405 RCW;  
21 adding a new section to chapter 28A.410 RCW; adding a new section to  
22 chapter 28A.415 RCW; adding a new section to chapter 28A.600 RCW;  
23 adding a new section to chapter 28A.605 RCW; adding a new section to

1 chapter 28A.620 RCW; adding a new section to chapter 28A.623 RCW;  
2 adding a new section to chapter 28A.625 RCW; adding a new section to  
3 chapter 28A.630 RCW; adding a new section to chapter 28A.635 RCW;  
4 adding a new section to chapter 28A.650 RCW; adding a new section to  
5 chapter 28A.655 RCW; adding a new section to chapter 28A.700 RCW; and  
6 creating a new section.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 NEW SECTION. **Sec. 1.** The legislature intends to reward schools  
9 that are recognized for exemplary performance by providing greater  
10 flexibility and empowering the schools and the school districts in  
11 which the schools are located to comply with fewer state mandates.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.657  
13 RCW to read as follows:

14 (1) A school district with at least one school that is recognized  
15 for exemplary performance based on the Washington achievement index  
16 under RCW 28A.657.110 may submit to the superintendent of public  
17 instruction and the state board of education a resolution adopted by  
18 the board of directors in a public meeting notifying the  
19 superintendent and the state board that the school qualifies to  
20 operate under this section during the next full school year after  
21 being selected for the award.

22 (2) Any school that is recognized for exemplary performance based  
23 on the Washington achievement index under RCW 28A.657.110 is  
24 authorized to operate exclusively under this section if the school  
25 district board of directors has submitted a resolution under this  
26 section. Such schools are not subject to and are exempt from all  
27 other state statutes and rules applicable to schools and school  
28 districts.

29 (3) Schools operating under this section must:

30 (a) Comply with local, state, and federal health, safety,  
31 parents' rights, civil rights, and nondiscrimination laws applicable  
32 to school districts to the same extent as school districts, including  
33 but not limited to chapter 28A.642 RCW, discrimination prohibition  
34 and chapter 28A.640 RCW, sexual equality;

35 (b) Provide basic education, as provided in RCW 28A.150.210,  
36 including instruction in the essential academic learning

1 requirements, and participate in the statewide student assessment  
2 system as developed under RCW 28A.655.070;

3 (c) Employ certificated instructional staff as required in RCW  
4 28A.410.025, however a school that qualifies under this section may  
5 hire noncertificated instructional staff of unusual competence and in  
6 exceptional cases as specified in RCW 28A.150.203(7);

7 (d) Comply with the employee record check requirements in RCW  
8 28A.400.303;

9 (e) Adhere to generally accepted accounting principles and be  
10 subject to financial examinations and audits as determined by the  
11 state auditor, including annual audits for legal and fiscal  
12 compliance;

13 (f) Comply with the annual performance report under RCW  
14 28A.655.110;

15 (g) Be subject to the performance improvement goals adopted by  
16 the state board of education under RCW 28A.305.130; and

17 (h) Comply with the open public meetings act in chapter 42.30 RCW  
18 and public records requirements in chapter 42.56 RCW.

19 (4) No school that qualifies under this section may engage in any  
20 sectarian practices in its educational program, admissions or  
21 employment policies, or operations.

22 (5) Schools that qualify under this section are subject to the  
23 supervision of the superintendent of public instruction and the state  
24 board of education, including accountability measures, to the same  
25 extent as other public schools.

26 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.150  
27 RCW to read as follows:

28 To the extent and for the period of time that a school district  
29 board of directors exercises its authority under section 2 of this  
30 act, except as provided in section 2(3) of this act, a school that  
31 qualifies under section 2 of this act is not subject to the  
32 requirements of this chapter and any related rules.

33 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.160  
34 RCW to read as follows:

35 To the extent and for the period of time that a school district  
36 board of directors exercises its authority under section 2 of this  
37 act, a school that qualifies under section 2 of this act is not  
38 subject to the requirements of this chapter and any related rules.

1        NEW SECTION.    **Sec. 5.**    A new section is added to chapter 28A.165  
2    RCW to read as follows:

3        To the extent and for the period of time that a school district  
4    board of directors exercises its authority under section 2 of this  
5    act, a school that qualifies under section 2 of this act is not  
6    subject to the requirements of this chapter and any related rules.

7        NEW SECTION.    **Sec. 6.**    A new section is added to chapter 28A.170  
8    RCW to read as follows:

9        To the extent and for the period of time that a school district  
10   board of directors exercises its authority under section 2 of this  
11   act, a school that qualifies under section 2 of this act is not  
12   subject to the requirements of this chapter and any related rules.

13       NEW SECTION.    **Sec. 7.**    A new section is added to chapter 28A.175  
14   RCW to read as follows:

15       To the extent and for the period of time that a school district  
16   board of directors exercises its authority under section 2 of this  
17   act, a school that qualifies under section 2 of this act is not  
18   subject to the requirements of this chapter and any related rules.

19       NEW SECTION.    **Sec. 8.**    A new section is added to chapter 28A.180  
20   RCW to read as follows:

21       To the extent and for the period of time that a school district  
22   board of directors exercises its authority under section 2 of this  
23   act, a school that qualifies under section 2 of this act is not  
24   subject to the requirements of this chapter and any related rules.

25       NEW SECTION.    **Sec. 9.**    A new section is added to chapter 28A.185  
26   RCW to read as follows:

27       To the extent and for the period of time that a school district  
28   board of directors exercises its authority under section 2 of this  
29   act, a school that qualifies under section 2 of this act is not  
30   subject to the requirements of this chapter and any related rules.

31       NEW SECTION.    **Sec. 10.**    A new section is added to chapter 28A.190  
32   RCW to read as follows:

33       To the extent and for the period of time that a school district  
34   board of directors exercises its authority under section 2 of this

1 act, a school that qualifies under section 2 of this act is not  
2 subject to the requirements of this chapter and any related rules.

3 NEW SECTION. **Sec. 11.** A new section is added to chapter 28A.193  
4 RCW to read as follows:

5 To the extent and for the period of time that a school district  
6 board of directors exercises its authority under section 2 of this  
7 act, a school that qualifies under section 2 of this act is not  
8 subject to the requirements of this chapter and any related rules.

9 NEW SECTION. **Sec. 12.** A new section is added to chapter 28A.194  
10 RCW to read as follows:

11 To the extent and for the period of time that a school district  
12 board of directors exercises its authority under section 2 of this  
13 act, a school that qualifies under section 2 of this act is not  
14 subject to the requirements of this chapter and any related rules.

15 NEW SECTION. **Sec. 13.** A new section is added to chapter 28A.215  
16 RCW to read as follows:

17 To the extent and for the period of time that a school district  
18 board of directors exercises its authority under section 2 of this  
19 act, a school that qualifies under section 2 of this act is not  
20 subject to the requirements of this chapter and any related rules.

21 NEW SECTION. **Sec. 14.** A new section is added to chapter 28A.220  
22 RCW to read as follows:

23 To the extent and for the period of time that a school district  
24 board of directors exercises its authority under section 2 of this  
25 act, a school that qualifies under section 2 of this act is not  
26 subject to the requirements of this chapter and any related rules.

27 NEW SECTION. **Sec. 15.** A new section is added to chapter 28A.225  
28 RCW to read as follows:

29 To the extent and for the period of time that a school district  
30 board of directors exercises its authority under section 2 of this  
31 act, a school that qualifies under section 2 of this act is not  
32 subject to the requirements of this chapter and any related rules.

33 NEW SECTION. **Sec. 16.** A new section is added to chapter 28A.230  
34 RCW to read as follows:

1 To the extent and for the period of time that a school district  
2 board of directors exercises its authority under section 2 of this  
3 act, a school that qualifies under section 2 of this act is not  
4 subject to the requirements of this chapter and any related rules.

5 NEW SECTION. **Sec. 17.** A new section is added to chapter 28A.235  
6 RCW to read as follows:

7 To the extent and for the period of time that a school district  
8 board of directors exercises its authority under section 2 of this  
9 act, a school that qualifies under section 2 of this act is not  
10 subject to the requirements of this chapter and any related rules.

11 NEW SECTION. **Sec. 18.** A new section is added to chapter 28A.245  
12 RCW to read as follows:

13 To the extent and for the period of time that a school district  
14 board of directors exercises its authority under section 2 of this  
15 act, a school that qualifies under section 2 of this act is not  
16 subject to the requirements of this chapter and any related rules.

17 NEW SECTION. **Sec. 19.** A new section is added to chapter 28A.250  
18 RCW to read as follows:

19 To the extent and for the period of time that a school district  
20 board of directors exercises its authority under section 2 of this  
21 act, a school that qualifies under section 2 of this act is not  
22 subject to the requirements of this chapter and any related rules.

23 NEW SECTION. **Sec. 20.** A new section is added to chapter 28A.300  
24 RCW to read as follows:

25 To the extent and for the period of time that a school district  
26 board of directors exercises its authority under section 2 of this  
27 act, a school that qualifies under section 2 of this act is not  
28 subject to the requirements of this chapter and any related rules.

29 NEW SECTION. **Sec. 21.** A new section is added to chapter 28A.305  
30 RCW to read as follows:

31 To the extent and for the period of time that a school district  
32 board of directors exercises its authority under section 2 of this  
33 act, except as provided in section 2(3) of this act, a school that  
34 qualifies under section 2 of this act is not subject to the  
35 requirements of this chapter and any related rules.

1        NEW SECTION.    **Sec. 22.**    A new section is added to chapter 28A.320  
2    RCW to read as follows:

3        To the extent and for the period of time that a school district  
4    board of directors exercises its authority under section 2 of this  
5    act, a school that qualifies under section 2 of this act is not  
6    subject to the requirements of this chapter and any related rules.

7        NEW SECTION.    **Sec. 23.**    A new section is added to chapter 28A.325  
8    RCW to read as follows:

9        To the extent and for the period of time that a school district  
10   board of directors exercises its authority under section 2 of this  
11   act, a school that qualifies under section 2 of this act is not  
12   subject to the requirements of this chapter and any related rules.

13       NEW SECTION.    **Sec. 24.**    A new section is added to chapter 28A.335  
14   RCW to read as follows:

15       To the extent and for the period of time that a school district  
16   board of directors exercises its authority under section 2 of this  
17   act, a school that qualifies under section 2 of this act is not  
18   subject to the requirements of this chapter and any related rules.

19       NEW SECTION.    **Sec. 25.**    A new section is added to chapter 28A.340  
20   RCW to read as follows:

21       To the extent and for the period of time that a school district  
22   board of directors exercises its authority under section 2 of this  
23   act, a school that qualifies under section 2 of this act is not  
24   subject to the requirements of this chapter and any related rules.

25       NEW SECTION.    **Sec. 26.**    A new section is added to chapter 28A.345  
26   RCW to read as follows:

27       To the extent and for the period of time that a school district  
28   board of directors exercises its authority under section 2 of this  
29   act, a school that qualifies under section 2 of this act is not  
30   subject to the requirements of this chapter and any related rules.

31       NEW SECTION.    **Sec. 27.**    A new section is added to chapter 28A.400  
32   RCW to read as follows:

33       To the extent and for the period of time that a school district  
34   board of directors exercises its authority under section 2 of this  
35   act, except as provided in section 2(3) of this act, a school that

1 qualifies under section 2 of this act is not subject to the  
2 requirements of this chapter and any related rules.

3 NEW SECTION. **Sec. 28.** A new section is added to chapter 28A.405  
4 RCW to read as follows:

5 To the extent and for the period of time that a school district  
6 board of directors exercises its authority under section 2 of this  
7 act, a school that qualifies under section 2 of this act is not  
8 subject to the requirements of this chapter and any related rules.

9 NEW SECTION. **Sec. 29.** A new section is added to chapter 28A.410  
10 RCW to read as follows:

11 To the extent and for the period of time that a school district  
12 board of directors exercises its authority under section 2 of this  
13 act, except as provided in section 2(3) of this act, a school that  
14 qualifies under section 2 of this act is not subject to the  
15 requirements of this chapter and any related rules.

16 NEW SECTION. **Sec. 30.** A new section is added to chapter 28A.415  
17 RCW to read as follows:

18 To the extent and for the period of time that a school district  
19 board of directors exercises its authority under section 2 of this  
20 act, a school that qualifies under section 2 of this act is not  
21 subject to the requirements of this chapter and any related rules.

22 NEW SECTION. **Sec. 31.** A new section is added to chapter 28A.600  
23 RCW to read as follows:

24 To the extent and for the period of time that a school district  
25 board of directors exercises its authority under section 2 of this  
26 act, a school that qualifies under section 2 of this act is not  
27 subject to the requirements of this chapter and any related rules.

28 NEW SECTION. **Sec. 32.** A new section is added to chapter 28A.605  
29 RCW to read as follows:

30 To the extent and for the period of time that a school district  
31 board of directors exercises its authority under section 2 of this  
32 act, a school that qualifies under section 2 of this act is not  
33 subject to the requirements of this chapter and any related rules.



1        NEW SECTION.    **Sec. 33.**    A new section is added to chapter 28A.620  
2    RCW to read as follows:

3        To the extent and for the period of time that a school district  
4    board of directors exercises its authority under section 2 of this  
5    act, a school that qualifies under section 2 of this act is not  
6    subject to the requirements of this chapter and any related rules.

7        NEW SECTION.    **Sec. 34.**    A new section is added to chapter 28A.623  
8    RCW to read as follows:

9        To the extent and for the period of time that a school district  
10   board of directors exercises its authority under section 2 of this  
11   act, a school that qualifies under section 2 of this act is not  
12   subject to the requirements of this chapter and any related rules.

13       NEW SECTION.    **Sec. 35.**    A new section is added to chapter 28A.625  
14   RCW to read as follows:

15       To the extent and for the period of time that a school district  
16   board of directors exercises its authority under section 2 of this  
17   act, a school that qualifies under section 2 of this act is not  
18   subject to the requirements of this chapter and any related rules.

19       NEW SECTION.    **Sec. 36.**    A new section is added to chapter 28A.630  
20   RCW to read as follows:

21       To the extent and for the period of time that a school district  
22   board of directors exercises its authority under section 2 of this  
23   act, a school that qualifies under section 2 of this act is not  
24   subject to the requirements of this chapter and any related rules.

25       NEW SECTION.    **Sec. 37.**    A new section is added to chapter 28A.635  
26   RCW to read as follows:

27       To the extent and for the period of time that a school district  
28   board of directors exercises its authority under section 2 of this  
29   act, a school that qualifies under section 2 of this act is not  
30   subject to the requirements of this chapter and any related rules.

31       NEW SECTION.    **Sec. 38.**    A new section is added to chapter 28A.650  
32   RCW to read as follows:

33       To the extent and for the period of time that a school district  
34   board of directors exercises its authority under section 2 of this

1 act, a school that qualifies under section 2 of this act is not  
2 subject to the requirements of this chapter and any related rules.

3 NEW SECTION. **Sec. 39.** A new section is added to chapter 28A.655  
4 RCW to read as follows:

5 To the extent and for the period of time that a school district  
6 board of directors exercises its authority under section 2 of this  
7 act, except as provided in section 2(3) of this act, a school that  
8 qualifies under section 2 of this act is not subject to the  
9 requirements of this chapter and any related rules.

10 NEW SECTION. **Sec. 40.** A new section is added to chapter 28A.700  
11 RCW to read as follows:

12 To the extent and for the period of time that a school district  
13 board of directors exercises its authority under section 2 of this  
14 act, a school that qualifies under section 2 of this act is not  
15 subject to the requirements of this chapter and any related rules.

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